

**IN THE UNITED STATES PATENT AND TRADEMARK  
OFFICE**

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In re Application of George E. Fox,  
Richard C. Willson III and Zhengdong Zhang  
Serial No.: 10/057,270  
Filed: 26 Jan 2002  
For: ...Methods for Determining the Genetic  
Affinity of Microorganisms and viruses

Priority: 26 Jan 2001, USSN 60/254,403

Attorney Docket: 010AUS

USPTO Customer Number: 26830

Response Due: 5 September 2006 [With 1 mo. Extension]

Commissioner for Patents  
Box 1450 Group 1631  
Alexandria VA 22313-1450

**AMENDMENT IN RESPONSE TO FIRST ACTION ON THE MERITS**

Sir:

In response to the Office Action mailed 5 May 2006, consideration of the  
following remarks is solicited.


The undersigned Attorney certifies that this Document has  
been filed via fax to 571-273-8300 Central Fax of the  
USPTO on 5 September 2006 (37 CFR 1.10).

Applicants' Attorney herein responds to the above Office Action mailed 5 May 2006.  
An additional fee is believed due as there are now presented 24 claims of which 4 are  
independent.

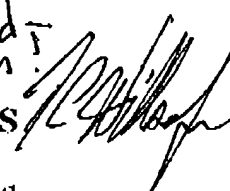
**Interview**

At the 27 April 2006 telephone interview helpfully initiated by Examiner Sims,  
Applicants' Attorney elected the species parsimony methods as a method for  
generating a tree of relationships under Group II, as reported in the PTOL-413 form  
included in the Office Action. That was the entire business at the interview.

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TO:   
) Examiner Jason  
) Sims (571)-2727540.  
) Group 1631

EXAMINER SIMS: Enclosed is a signed  
replacement page for the amend-  
ment faxed 5 Sept 06. Thank you.



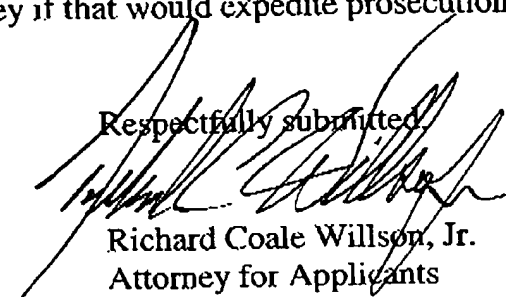
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The one-month extension fee and any other necessary (small entity) charges can be charged to USPTO Deposit Account 20-336 of Technology Licensing Co. LLC.

Correspondence may be addressed to Customer No. 26830.

The Examiner is especially invited to suggest allowable subject matter on next action, and to telephone Applicants' Attorney if that would expedite prosecution and disposal of this Application.

Respectfully submitted,



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